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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Cao *et al.*

Confirmation No.: 5365

Application No.: 10/543,033

Art Unit: 1637

Filed: January 21, 2004

Examiner: Mummert, Stephanie Kane

For: METHODS FOR IDENTIFYING COMPOUNDS THAT
MODULATE UNTRANSLATED REGION-
DEPENDENT GENE EXPRESSION AND METHODS
OF USING THE SAME

Attorney Docket No.: 10589-012-999

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 AND § 1.97

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the United States Patent and Trademark Office (“USPTO”) of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner’s attention to references **A44-A48, B08-B10, and C193-C227** listed on the attached form entitled “List of References Cited by Applicants.”

Copies of references B08-B10, and C193-C227 are submitted herewith. Copies of references A44-A48 are not submitted herewith because they are U.S. patents or U.S. Patent Application Publications. Pursuant to 37 C.F.R. § 1.98 (a)(2)(i) as amended (*see* Fed. Reg. vol. 69, no. 182, Sept. 21, 2004), the requirement for providing a copy of each U.S. patent or U.S. patent application publication listed in an Information Disclosure Statement in a patent application, regardless of the filing date of the application, was eliminated.

Identification of the listed references is not meant to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is believed to be due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Jones Day deposit account no. 50-3013.

Respectfully submitted,

Date: November 17, 2008

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Enclosures

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